

Old Business Item “B”
Second Reading

ORDINANCE NO. O-2013

**BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON,
STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:**

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF
CHAPTER 2, ARTICLE VII et seq. OF THE *CODE OF
ORDINANCES OF BENTON COUNTY, ARKANSAS* REGARDING
BENTON COUNTY EMPLOYMENT AND SALARY
ADMINISTRATION POLICY**

WHEREAS, a county government, acting through its county quorum court, may exercise local legislative authority not expressly prohibited by the Arkansas Constitution or by law for the affairs of the county. These powers include, but are not limited to, the power to: i) fix the number and compensation of deputies and county employees; ii) fix the compensation of each county officer within a minimum and maximum to be determined by law; exercise other powers, not inconsistent with law, necessary for effective administration of authorized services and functions; and

WHEREAS, pursuant to Arkansas law, the Quorum Court’s legislative power expressly includes “any legislative authority with regard to employee policy and practices of a general nature, including, but not limited to, establishment of general vacation and sick leave policies, general office hour policies, general policies with reference to nepotism, or general policies to be applicable in the hiring of county employees; and

WHEREAS, as expressly stated in A.C.A. § 14-14-805(2), any such policies will not apply to elected officials. Moreover, it is clear that while the County Judge has the power to hire county employees, other elected officials have exclusive power over hiring decisions in their own offices.

**NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF THE
COUNTY OF BENTON, STATE OF ARKANSAS:**

ARTICLE 1. That Section 2-501 et. seq. of the *Code of Ordinances of Benton County* is hereby stricken and repealed.

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ARTICLE 2. That all ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

ARTICLE 3. That the attached such document called the “Benton County Employment Policy” is attached hereto and made a part hereof as though set out herein word for word and shall be codified, published and printed as a handbook for all county employees.

APPROVED:

ROBERT D. CLINARD, COUNTY JUDGE
DATE SIGNED: _____

ATTEST:

TENA O'BRIEN, COUNTY CLERK
SPONSOR: JP Shirley Sandlin
DATE ADOPTED: _____
Votes For: ____ Votes Against: ____
Abstain: ____ Present: __ Absent: ____